

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAUL MATTHEWS-ORTA,

2:14-cv-01853-JAD-PAL

Petitioner,

ORDER

vs.

ERIC H. HOLDER, JR., *et al.*,

Respondents.

Petitioner, through counsel, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. 1) and an emergency motion for a stay of deportation pending disposition of the habeas corpus petition (Doc. 4).¹ Petitioner has paid the filing fee for this action, and this court has conducted a preliminary review of the petition and motion for a stay of deportation.

The court notes that petitioner has filed two *pro se* motions for hearing and scheduling order (Doc. 2, 3). Petitioner may not file papers in proper person while represented by counsel, *see* L.R. IA 10-6(a), and therefore, these motions shall be stricken.

IT IS THEREFORE ORDERED that the Clerk of the Court **SHALL SERVE** the petition (Doc. 1) and the emergency motion for a stay of deportation (Doc. 4), along with this order, upon respondents as follows:

1. By having the United States Marshal, on or before the close of business on the date that this order is entered, serve a copy of the petition (Doc. 1), the emergency motion for a stay of deportation (Doc. 4), and this order on the United States Attorney for the District of Nevada or an Assistant United States Attorney or a clerical employee designated by the United States Attorney pursuant to Rule 4(i)(1)(A) of the Federal Rules of Civil Procedure.

¹ The motion for stay was included at the end of the petition itself, and thus the same document has been docketed as the petition (Doc. 1) and the motion for stay (Doc. 4).

IT IS FURTHER ORDERED that **petitioner SHALL FILE AND SERVE a reply to respondents' answer or response to the petition and response to the motion for a stay of deportation within 10 days of the date that petitioner is served** with the same.

IT IS FURTHER ORDERED that petitioner's *pro se* motion for hearing (**Doc. 2**) and motion for scheduling order (**Doc. 3**) are both **STRICKEN**.

JENNIFER DORSEY
UNITED STATES DISTRICT JUDGE